

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS – DALLAS DIVISION

DAN-BUNKERING (AMERICA), INC.,	§	
	§	
Plaintiff	§	
	§	CIVIL ACTION NO. 3:20-cv-03341-S
v.	§	
	§	IN ADMIRALTY, RULE 9(h)
ICHOR OIL, LLC,	§	
	§	
Defendant	§	(Opposed)
	§	

**B&G FUTURES, INC.’S OPPOSED MOTION FOR
EXTENSION OF TIME TO FILE MOTION FOR SANCTIONS**

TO THE HONORABLE REBECCA SUTHERLAND, UNITED STATES MAGISTRATE JUDGE:

Now comes B&G Futures, Inc. to file this opposed Motion for Extension of Time to File Motion for Sanctions, and in support thereof would respectfully show the following:

1. On March 30, 2023 the Court entered a final judgment in this case by entering an order that adopted most of the Magistrate Judge’s Findings, Conclusions, and Recommendation. (ECF 128).
2. Under Fed. R. Civ. P. 54(d)(2), a motion for attorney’s fees is to be filed within two weeks following the entry of judgment, or not later than today, Thursday, April 13, 2023.
3. B&G Futures is requesting a two-business day extension of this deadline until next Monday, April 17, 2023.
4. The largest factor contributing to the need for an extension is that the air conditioning in the undersigned counsel’s office has not functioned at any time during this week. The heat in the office has simply made it impossible to work as many hours in a day, or to be as productive as usual during the hours that are worked.

5. The requested extension will not significantly delay this case as it includes only two business days.

6. In this case B&G Futures has previously filed two motions with deadlines, as well eight responses and replies. (ECF 101-102, 104-106; 60, 68, 76-77, 109-10, 113, 114, 119, 126). On only one previous occasion has B&G Futures requested an extension of time to finish preparing any of these items. That was a similar extension of only two business days (six calendar days over the Thanksgiving holiday weekend). (ECF 117).

7. B&G Futures believes that its briefing in this case has been clear and of benefit to the Court. B&G Futures desires to present the argument in its motion for sanctions in a manner that will likewise be clear and beneficial.

8. This request is opposed by Plaintiff Dan-Bunkering.

PRAYER

Wherefore, premises considered, B&G Futures, Inc. respectfully requests that the Court extend the time for B&G Futures to file its Motion for Sanctions until Monday, April 17, 2023.

Respectfully submitted,

/s/ Kurt S. Elieson
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CERTIFICATE OF CONFERENCE

This is to certify that on April 13, 2023 the undersigned counsel exchanged emails with Stephen Simms, counsel for Dan-Bunkering, who stated in his email that he is opposed to the requested extension of time.

/s/ Kurt S. Elieson
Kurt S. Elieson

CERTIFICATE OF SERVICE

I hereby certify that on April 13, 2023 a true and correct copy of the foregoing document has been served via the Court's electronic notification system to all counsel of record.

/s/ Kurt S. Elieson
Kurt S. Elieson